

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT				1. CONTRACT ID CODE			
2. AMENDMENT/MODIFICATION NO.		3. EFFECTIVE DATE		4. REQUISITION/PURCHASE REQ. NO.		5. PROJECT NO. (If applicable)	
6. ISSUED BY CODE				7. ADMINISTERED BY (If other than Item 6) CODE			
8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)				(X)		9A. AMENDMENT OF SOLICIATION NO.	
						9B. DATED (SEE ITEM 11)	
						10A. MODIFICATION OF CONTRACT/ORDER NO.	
CODE		FACILITY CODE					

11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS

☐ The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers ☐ is extended, ☐ is not extended.
Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods:
(a) By completing items 8 and 15, and returning _____ copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted;
or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE
PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment
your desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this
amendment, and is received prior to the opening hour and date specified.

CHECK ONE	A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.
	B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(b).
	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:
	D. OTHER (Specify type of modification and authority)

E. IMPORTANT: Contractor ☐ is not, ☐ is required to sign this document and return _____ copies to the issuing office.

15A. NAME AND TITLE OF SIGNER (Type or print)		16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)	
15B. CONTRACTOR/OFFEROR	15C. DATE SIGNED	16B. UNITED STATES OF AMERICA	16C. DATE SIGNED
(Signature of person authorized to sign)		(Signature of Contracting Officer)	

1. **Can the Government please provide a definition of an educational treatment vs. an educational program?**

Can the government please provide more clarification surrounding studies on programs as discussed in Attachment A – PWS for BPA A as compared to BPA B.

The term “program” is used in more than one way in the PWS. In Pool A, the programs at issue are Department of Education programs; there are frequent requirements that involve analyzing the effectiveness of those programs. In Pool B, what is at issue are often external programs, conducted by other groups. Requirements in these areas will often appear similar... at one level the question in both is, “how well is this program working,” but at more involved levels, the questions are different. The requirements in pool B focus primarily involve the assessment of the effectiveness of programs to contribute to the general body of research on educational practices, while the requirements in pool A will focus primarily on analysis of ED programs to help guide future policy.

2. **Does ED have any preference for how Proposal Pools are named – e.g., A, B, C as in the PWS, or 1, 2, 3 as listed in the solicitation cover.**

Please use A, B, C, as in the PWS, to refer to the pools.

3. **Do cover pages, table of contents, and list of exhibits count against the page limits? Are other items not specifically called for in the instructions allowable in the appendix to the technical proposal?**

The cover page does not count against the page limit, but everything else (apart from appendices mentioned in the solicitation or in Amendment 000A) counts against the page limit.

4. **ED’s Response to Question 13 about font sizes for graphics and tables indicates that reasonable reductions can be made. Is this also true for content found in the appendices (e.g., for CVs)?**

Content in the appendices should follow the formatting guidelines as originally expressed (i.e., 12-point font, double-spaced pages) but agency-supplied Contractor Past Performance Reports included in the Past Performance Report appendix can be reproduced as originally sent from the agency (you needn’t reconstruct their form).

5. **Is there a limit on the number of potential staff directors that can be proposed? For example, can the technical proposal present individual staff qualifications for 15 people, but only include 8 CVs?**

This decision is left to the offeror.

6. **May we submit documents in a two-sided format?**

Yes. But a two-sided page counts as two pages toward the page limit, of course.

7. **If we are applying for multiple pools and a past project is deemed to be applicable to more than one pool, may we include the abstract in each of the relevant pools?**

Yes.

8. **The solicitation (page 31) appears to suggest that Section K certifications must be submitted online through ORCA. Can you clarify?**

Our company has the representations and certifications online (ORCA). Should we still complete the section K included in the RFP?

As indicated in K.4, pages 30 and 31 of the solicitation, vendors are required to submit required certifications in ORCA at the listed website. *In addition*, Section K certifications must be submitted in hard copy with the solicitation as indicated in section L.

9. **What percentage of a given contract currently or recently held by a bidder must be performed within the definition of a specific BPA pool for it to be included in the past performance section of a proposal for that BPA? For example, if 25% of a given contract falls under BPA B, can we include it as a project abstract for BPA B?**

Decisions regarding what to include are left entirely to the offeror.

10. **There appears to be significant overlap in types of services and products required under Pool A and Pool B. If a contractor qualifies for Pool A, but not for Pool B and C (due to cost competitiveness) and the government issues a task order under BPA B, will the contractor be excluded from responding to that task order?**

Yes. However, the decision as to which pool a requirement falls into will be a decision of the CO, and that decision, for certain requirements that span pools, might involve allowing offerors from more than one pool to compete.

11. **Would it be possible to provide services that cover 2 or more BPA Pools at once?**

See question 11, above.

12. **If a purchase order is issued to us as a small business, do our subcontractors on that purchase order need to qualify as small businesses as well?**

While ED encourages small-business subcontracting, it would not be required, no.

13. **How does the Department of Education plan to address the logistical services that were covered by the original MATO, but were not included in the requirements of ED-SAT?**

This was an area of substantial overlap with the GSA Federal Supply Schedules, so most of the future work in this area will be awarded via that vehicle.

14. **How many projects are required to support a solid past performance?**

There is no specific numerical requirement.

15. **Our experience with the previous MATO task orders is that each task order often involves tasks and activities that cut across all three BPAs. Moreover, it is not clear how a potential task order under each BPA will limit the work to those activities. Is it possible for ED to provide a short illustrative task order for each BPA so that offerors can prepare their response?**

We cannot provide a sample task, but can provide a bit more information regarding your concern. The three ED-SAT pools are structured differently from the five MATO

categories. You are correct that, for example, a large-scale assessment would have cut across most of the MATO categories. But, in addition to removing areas where there was overlap with other contracting options, the reorganization of our requirements into the three ED-SAT Pools provides a framework that is more focused on the overall project, allowing individual requirements to be classified correctly as belonging to either pool A, B, or C. There might still sometimes be some overlap (see question 11, above), but we expect much less than in the MATO categories.

- 16. How should cost for other direct costs such as travel, printing, etc. be included in the cost schedule? Should the contractor assume that other direct costs will be handled on a cost-reimbursable basis?**

As a follow-up to Amendment 000A question 35, will travel and ODCs that may not be able to be defined and quoted at time of proposal submission be able to be negotiated at the purchase-order level?

ODCs should be included on the schedule as with labor. Nothing under ED-SAT will be handled on a cost-reimbursable basis.

Travel is a special case. Travel will be handled on a per-purchase order basis, governed by the federal Joint Travel Regulation.

- 17. Does the US Department of Education have a sample price catalog that can be used as a reference?**

No.

- 18. Where teams have already been established, will the government evaluate team member past performance?**

If the question refers to teams of contractors (i.e., partnered relationships), evaluation of an individual offeror's proposal will be based only on the work they contributed to any past performance presented. For work done for a prime contractor, that prime contractor should be the point of contact. If the offeror was the prime, the contact person should be whoever hired them. The team will not be evaluated as a whole.

If the question refers to internal teams, this would be evaluated as with any other past performance.

- 19. In the offerors cost build-up by labor category, please confirm that our fee percentage should be included in the cost breakdown.**

Yes, it should be included.

- 20. In order to prepare for purchase orders that may require work on both contractor and government sites, please confirm the offeror should include both client site and contractor site hourly rates.**

The RFP states that rates for any anticipated charges should be included in the pricing schedule.

21. **Please confirm that each hard copy “part” of the proposal must be bound in separate 3-ring binders, or if they can be tabbed in a single binder.**

Please note Amendment 000B to this solicitation, instructing that either comb or ring binding must be used. Also note question #30 below, indicating that stapling is an option. Finally, note question # 22 of Amendment 000A.

22. **Since some of the FFP jobs that may be awarded could be 60 months in term and the indirect computation is required to be shown, is there a particular format ED would like us to use in order to show labor cost build out and annual cost escalation?**

ED does not require a specific format.

23. **Should the same cost build-out format be followed for ODCs as well, as it states in the price proposal section “including a line item for each potential category of supply or service?”**

Yes.

24. **Is back up required to support the ODC costs proposed.**

Receipts for past charges/documentation of actual costs is not required with the proposal.

25. **Is it allowable to bid contingent hire staff?**

Does ED prefer that the expert educational consultants we propose as potential staff and/or consultants have advanced degrees in education? Or, would the amount, breadth, and quality of their experience in the education field and with educational issues matter most?

It is allowable to bid contingent staff, provided there is some evidence of the potential relationship (i.e., a letter of intent (these can be included as an additional appendix)).

Regarding particular qualifications, the decision as to what to include is left to the offeror.

26. **Pool B – Research and Assessment Design, Data Collection, and Analysis includes convening Federal review groups or technical working groups. Is support for large conferences also included in this BPA pool?**

No. See question #14 above regarding logistical support.

27. **In your response to Question 28 on Amendment 000A, you stated that Agency Past Performance Reports will not be counted against the page limit. However, in your response to question 8 on the same document, you specify a 10-page limit. Are Past Performance References subject to this 10 page limit or is this a separate appendix with no page limit?**

Question 8 references an appendix to the Technical Proposal, which contains CVs and is limited to 10 pages. Question 28 references an appendix to the Price Proposal, which contains Agency Past Performance Reports, and is not limited like the other appendix.

Agency Past Performance Reports should only be included for projects discussed in the text of the Past Performance Report itself, which functions as a limit on the length, but since

various agencies use forms of different length, we cannot set a specific page limit for this appendix.

28. **The RFP states that an electronic copy of the proposal is due at 5:00 pm one working day prior to the due date of OCT 29, 2009. In your response to question 15 on Amendment 000A, the government states that electronic versions are to be submitted on CD with the hard copies. Because it is our understanding that hard copies are due on OCT 29, 2009, please clarify when the due date is for electronic copies.**

Question 15 on Amendment 000A is what should be followed. Electronic copies should be submitted on a CD with the hard copies, and should be submitted by the deadline of October 29, 2009.

29. **Our firm has a great deal of experience as a subcontractor for projects similar to the activities in one of the pools. We are interested in pursuing work with the Department of Education as a prime contractor, however we do not have “direct” experience, nor has the work performed been for other Federal government or education-based organizations. Can we cite the work that we have performed for other firms (with excellent references) in the Past Performance Report section?**

Any work that an offeror believes is relevant to our evaluation of their capacity to meet our requirements should be included.

30. **Instead of ring or comb binding, can the copies be stapled?**

Yes. However, the offeror is responsible for ensuring that each document is securely bound. ED will not be responsible for poorly or inadequately stapled documents.

31. **How many copies of Standard Form 33 need to be submitted?**

Only one per proposal.

32. **The Q&A addendum states “include CVs only at the potential project director/potential lead researcher level.” Do we need to include CVs or resumes for our extended network of educational consultants?**

The decision as to what to include is left to the offeror.

33. **The incorporated clauses note that a small business subcontracting plan is to be included with the proposal. Is this plan required? And if so, in what proposal section should it be placed?**

That clause is included because small business subcontracting plans will be required on a per-purchase order basis. One need not be submitted with the initial proposal.

34. **Per Modification 000A, if subcontracting at the proposal stage is not desired, how will pricing of subcontractor labor in subsequent purchase orders be handled? Will subcontractor labor be submitted as separate time and material rates subject to ED SAT approval, separate from prime contractor rates?**

Subcontractor charges will be negotiated as part of the process of awarding a purchase

order. While ED is not concerned about the nature of the contract between the prime and the subcontractor, the amount billed to ED will also be fixed-price.

- 35. If subcontractors to a prime are exclusive to that prime and not submitting their own proposal, is this allowable? If so, are offerors to submit Past Performance information on these subcontractors as part of the 20 pages?**

ED will only evaluate information regarding the specific offeror submitting a proposal. The decision to submit or not submit a proposal, and decisions regarding exclusive partnering are business decisions outside of ED's ability to offer guidance.

- 36. How will ED determine "highly rated offerors"?**

In accordance with the criteria listed in the evaluation criteria document.

- 37. Who will have access to the ED-SAT information, specifically price proposals? Are these rates confidential or will all awarded parties be able to see what their competitors are charging?**

These rates will be confidential.

- 38. The instructions for Past Performance Reports call for project abstracts of no more than 1 page each. Are the abstracts included in the 20-page limit for the Past Performance Report?**

Yes.

- 39. Will there be separate contracts issued for each pool? If so, may offerors propose a different manager for each pool rather than one manager across pools?**

Yes, and yes.

- 40. In attachment A, you state: "In addition, requirements such as professional development for teachers and program administrators and instructional design and policy development workshops would fall under this category." It is not clear if this reference applies only to technical assistance for ED, or would also include technical assistance to state and grantee-level participants.**

The technical assistance pool will cover state and grantee-level technical assistance to the extent that ED has a need to provide such assistance.

- 41. RE Electronic submission: should each of the four parts of a proposal (per pool) have its own CD, or can all four pieces of the pool be on one CD? Is one CD per proposal sufficient?**

Each proposal should have one CD containing all four parts of that proposal. This means that if an offeror were submitting a proposal for each pool, there would be three CDs, each of which would contain the four parts of the relevant proposal.

- 42. If an offeror chooses to include documentation of particular processes and methodologies, is it acceptable to place this supporting material in an Appendix to the**

proposal?

No, such information would count toward the page limit.

- 43. With the potential for indefinite renewal, how often will an ED-SAT vendor be able to adjust their rate schedule (i.e., labor positions and associated rates)?**

We have asked for an initial schedule containing five years of prices. The determination of how and when to ask for information beyond that term has not yet been made.

- 44. In addition to Section K and a signed copy of Standard Form 33, does the offeror need to include RFP sections A through J as a part of their proposal package?**

No, as long as the offeror does not take exception to any elements of those sections.

- 45. Does the offeror need to sign and return any or all Amendment of Solicitation forms that have been and that may be issued to the RFP?**

Yes. A copy of SF-33 and all amendments should be included for each proposal. They can be attached to the Section K Certifications, and will not count against the page limits for any of the other proposals.

- 46. We are a small business, and while our portfolio of past performance is substantial, it might not be sufficient to support a successful bid in one or more BPAs at this time since you suggest that you will limit the pools size as opposed to the past MATO practice. Will there be annual opportunities to submit a proposal for any of the currently announced BPAs in the future?**

Regarding the limitation, our primary intent in limiting ED-SAT was two-fold: 1) to remove redundancies with the GSA federal supply schedule contracts and other vehicles, and 2) to eliminate the circumstance where a very large percentage of vendors awarded MATO contracts never submitted a single proposal during the entire course of the program.

Further, we are seeking highly qualified businesses, both small and large. So there should not be a concern that a small business will be “shouldered out” by large businesses with a much larger operation and more past performance.

There will be opportunities to add contractors to a given pool at a future date (which is one of the advantages of the BPA approach), but this will be a decision made by the administering CO based on the state of the market.

- 47. Regarding Amendment 000A, the response to question 6 indicates that we should not partner at this point, but the response to question 10 strongly encourages partnering among other pool members. Is the effect of these two positions to deny small businesses who can’t receive an award themselves the opportunity to participate in ED-SAT work?**

While we encourage partner-seeking within the pools at the time of individual purchase-order award to help develop business relationships, this encouragement is not codified in any evaluation criteria, so does not currently carry any more force than a suggestion. Large businesses will need to meet goals in requirement-specific subcontracting plans, so we

anticipate that a number of opportunities will remain for small businesses, both within and outside of the pools.

48. Will the performance metrics be determined at the purchase order level?

Yes.

49. Will the government restrict competition if new pools are added to the vehicle? If so, what would the restrictions include?

No, if a new pool is added, the competition would be full and open.

50. We assume that a complete proposal is required only for those pools for which we are planning to compete and that it is not required that offerors respond to all pools. Is this assumption correct?

Offerors can apply to as many or as few pools as they wish, with a complete proposal required for only those in which they wish to compete.

51. Our company has a GSA MOBIS schedule. Is the government amenable to using those negotiated hourly rates?

Since GSA schedules already contain government-approved “catalog” line-item hourly rates, is it necessary to reinvent “catalog” hourly rates again, or may an offeror propose applicable hourly line-item rates from the offeror’s government-approved/government-audited GSA schedule?

Would it be acceptable to submit the pricing from a GSA Contract for the price schedule?

Offerors proposals will be evaluated based on the criteria set forth in attachments B and C. The determination of what to include in the price proposal is left to the offeror.

52. It is unclear, given the likelihood for disparate labor categories, how the pricing evaluation will be performed to establish the BPA award. Will the government please elaborate the mechanism determining whether an offerors proposed rate listing is competitive?

The price proposals will be evaluated in concert with the technical proposals, which should indicate how the workforce is utilized. This will provide the information required for price analysis.

53. Will there be one COR for the BPA, one for each pool, or will it be assigned based on individual purchase orders?

CORs will be assigned on the purchase-order level.

54. Can the government clarify if the security requirements in H.2 will be established at the purchase order level?

Clause H.2 is included because it will be included in a number of purchase orders. It is not required to submit risk-level assessments at this time.

55. **The statement “All contractor employees must undergo personnel security screening if they will be employed for thirty (30) days or more, in accordance with Departmental Directive OM 5-101” is included (H.2). However, this directive appears to focus on IT related work and this RFP infers that the IT work is secondary to the scope of the effort that will be performed. Please clarify.**

While IT-specific requirements will not be fulfilled through the ED-SAT program, many ED-SAT requirements will necessitate contractor interaction with government information systems. The requirements in this section apply for that reason, even if the work being performed is not IT-specific.

56. **American Recovery and Reinvestment Act (ARRA) is not included in the RFP. Is it the Government’s belief that none of the BPA requirements will be funded by stimulus money?**

That is correct. The additional requirements that accompany contracts awarded under ARRA make them a poor candidate for streamlining.

57. **It is understood that the BPA proposal submission should include a catalog of proposed labor categories and associated rates for 5 years. If the need arises over the period of the BPA as dictated by purchase order requests, may labor categories be added by modification?**

Yes, though we encourage offerors to be as comprehensive as possible to avoid this necessity.

58. **Please tell us of any future priorities or goals that the U.S. Department of Education may have over the next few years.**

Please see ED’s website at www.ed.gov for information regarding Department goals and priorities.

59. **Are there any large-scale (web or paper) surveys that have been conducted in the past or are anticipated in Pool B?**

We cannot provide specific information regarding potential requirements at this time, but were there a need for such a survey, the data-collection component of Pool B would make it the appropriate pool.

60. **Please confirm that one (1) original of the Section K Certifications should be submitted for each pool and that no copies of the Section K Certifications are required.**

This is correct. While we are requesting one original and ten copies of the other documents, only one copy of Section K Certifications per proposal is required.

61. **As the Government indicated that all delivery orders will be Fixed Price, please clarify how contractors are to invoice monthly? For example, will Task Orders be required to specify payment milestones? Or are contractors allowed to invoice costs incurred on a monthly basis, up to, but not exceeding, the FFP amount?**

There are a number of payment options for fixed price purchase orders. The decision as to which to employ will be left to the CO responsible for each purchase order.

62. **Under the section entitled “Small Business Considerations,” in the User’s Guide (issued prior to the solicitation), the last sentence in the first paragraph states, “All purchase orders for logistical and administrative support for the review of grant applications to ED (“peer review”) shall continue to be set-aside for small businesses.” Would the government please confirm for offerors which of the three pools include the logistical and administrative grant reviews?**

Through which pool does the government anticipate issuing Purchase Orders to procure support services for the review of grant applications?

As indicated at the time, the User’s Guide that was released with the notice of the upcoming ED-SAT solicitation was a draft document. The references to logistical support and administrative peer review of grants should be removed. These have been identified as areas of substantial overlap with the GSA federal supply schedule.

63. **Please specify the applicable small business category.**

611 -- Educational Services/611710 -- Educational Support Services

64. **Is there a specific target percentage of work that large businesses must subcontract to small businesses in each pool? If so, what is that percentage.**

While the Department of Education does have a specific goal for small business subcontracting, this goal is not based on the pool. The current goal is 37.5% of subcontracting dollars, meaning of every \$100 spent by a prime on subcontracting, \$37.50 would be awarded to small business. This goal is subject to change.

65. **The proposal instructions require offerors to provide “pricing information for five years,” and to provide a “cost breakdown” for all rates, including base labor rates and all applicable indirect rates. Should we include hours in this cost breakdown, and if so, should we assume all labor categories will be full time?**

See question 19 in Amendment 000A.

66. **Can you tell us if the Department intends to develop a searchable database for the ED-SAT vendor pools? If so, is there a defined list of searchable terms/keywords available that may help us word our proposal to facilitate searches?**

There will be no searchable database. Requirements in a given pool will be submitted to all vendors within that pool, unless set-aside for small business, in which case they will be sent to only the small businesses in the pool.